

COUNTY COUNCIL

OF

HARFORD COUNTY, MARYLAND

BILL NO. 74-13

Introduced by Councilman O'Neill at the request of County Executive
Legislative Day No. 74-9 and Councilman Freeman Date: March 12, 1974

AN EMERGENCY ACT to repeal and re-enact with amendments
Section 521A. (c), (d, 1, 2, 3), (e, 1) and
(f) of the Code of Public Local Laws of Harford
County (1965 Edition, as amended) heading,
"Interference with Emergency Equipment"; to
provide for a change in the penalties for said
section; to clarify certain prohibitions; to
broaden the protection against liability of
County Agencies; and to clarify certain language
in the law.

By the Council, MARCH 12, 1974

Introduced, read first time, ordered posted and public hearing scheduled

on: APRIL 8, 1974

at: 7:30 P.M.

By Order: Ernest B. Johnston, Secretary

PUBLIC HEARING

Having been posted and Notice of time and place
of hearing and Title of Bill having been published according to the
Charter, a public hearing was held on APRIL 8, 1974
and concluded on APRIL 8, 1974.

1 Section 1. *Be It Enacted by the County Council of Harford*
2 *County, Maryland*, that Section 521A. (c), (d, 1, 2, 3), (e, 1),
3 and (f) of the Code of Public Local Laws of Harford County (1965
4 Edition, as amended) heading, "Interference with Emergency
5 Equipment", be, and they are hereby, repealed and re-enacted with
6 amendments to read as follows:

7 521A.

8 (c) Authorization for Removal.

9 (1) No person shall park or allow to be parked
10 any vehicle, of which he is the owner, in a manner that
11 interferes with or obstructs a clearly marked fire lane or fire
12 hydrant area. In addition, no person shall place or allow
13 to be placed any material, debris or other object, of which he
14 is the owner or has possession of, in a manner that interferes
15 with or obstructs a clearly marked fire lane or fire hydrant
16 area.

17 (2) Any Law Enforcement Officer, or Fire
18 Company is hereby authorized whenever necessary to take
19 possession of, remove, tow away, impound or otherwise remove
20 any debris, material, vehicle or other object which interferes
21 with or obstructs previously established and marked fire lanes
22 for the access or operation of any Fire Company equipment or
23 other emergency vehicles or equipment.

24 (3) Manner of Removal, Charges for Removal;
25 Any Law Enforcement Agency, Fire Company or other County Agency
26 which has cause to remove an obstruction from a fire lane during
27 a fire or other emergency is authorized to do so in any manner
28 that is both safe and expeditious as defined by this section.
29 Any charges imposed by the removing agent, public or private.

1 in the way of fire lanes established and marked pursuant to this
2 section, a Law Enforcement Officer who discovers a vehicle
3 illegally parked shall, if the operator is absent, attach a
4 summons to the vehicle in a conspicuous place, or if the operator
5 is present, deliver such summons to him. A copy of the summons
6 shall be retained by the officer and shall bear certification
7 under penalty of perjury by the officer attesting to the truth
8 of the matter therein set forth. The recipient of such a
9 summons may waive a hearing before the Court at least five (5)
10 days prior to the date of hearing set out in the summons.
11 If the person so summoned desires a hearing, he shall notify
12 the Clerk of the Court of such desire at least five (5) days
13 prior to the date of the hearing as set forth in the summons.
14 At the time that such notice of a desire for a hearing is given,
15 the person summoned shall also notify the Clerk of the Court
16 that he desires the presence of the officer who issued the
17 summons at the time of the hearing. In the event that the
18 person so summoned does not notify the Clerk that he desires
19 the presence of the officer at the time of the hearing as
20 aforesaid, it shall not be necessary that the officer who
21 issued the summons appear, and the copy of the summons bearing
22 the certification by the officer shall be prima facie evidence
23 of the matters therein set forth. The Law Enforcement Agencies
24 shall cause notice of the provisions of this section to be
25 attached to all summonses used for violations of this section.
26 No summons shall be issued setting a trial date less than
27 fifteen (15) days from the date of offense.

28 (2) Whenever an unattended motor vehicle may
29 be found in violation of the provisions of this section, the

1 (3) Any person charged with violation of this
2 section may give his written promise to appear in Court by
3 signing at least one (1) copy of the written traffic citation
4 prepared by the officer in which event the officer shall
5 deliver a copy of the citation to the person, and thereupon the
6 officer shall not take the person into physical custody for the
7 violation.

8 (4) Any person who shall violate his written
9 promise to appear in Court to answer to a charge of a
10 violation of any of the provisions of this section shall be
11 guilty of a misdemeanor, regardless of the disposition of
12 the charge upon which he was originally charged. A written
13 promise to appear in Court may be complied with by an
14 appearance by counsel.

15 (e) Penalties.

16 (1) Any person violating the provisions of this
17 section shall be guilty of a misdemeanor, and upon conviction
18 thereof, shall be fined not less than ten dollars (\$10.00) nor
19 more than five hundred dollars (\$500.00), or imprisoned not
20 less than ten (10) days, nor more than three (3) months, or
21 both fined and imprisoned.

22 (f) Liability. Harford County, Maryland, or any
23 Fire Company serving Harford County, or any Law Enforcement
24 Officer or Agency shall not be held liable for any damage to
25 property that may result from the proper application and
26 enforcement of this section.

27 Section 2. *And Be It Further Enacted*, that this Act is hereby
28 declared to be an Emergency Act and necessary for the immediate
29 preservation of the public peace, health, safety and property

1 The Secretary of the Council does hereby
2 certify that fifteen (15) copies of this bill
3 are immediately available for distribution to
4 the public and the press.

5 *Vernon B. Johnston*
6 Secretary

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BY THE COUNCIL

Read the third time.

Passed LSD 74-13 - APRIL 16, 1974 (~~XXXXXXXXXXXX~~)

~~Read XXXX Passage~~

By order

Ernest B. Johnston, Secretary

Sealed with the County Seal and presented to the County Executive for his
approval this 17TH day of APRIL, 1974 at
10:00 o'clock A.M.



Ernest B. Johnston, Secretary

BY THE EXECUTIVE

APPROVED:

Charles B. Anderson, Jr.
Charles B. Anderson, Jr., County Executive

Date 4-17-74

BY THE COUNCIL

This Bill, having been approved by the Executive and returned